

**FILED**

**JAN - 4 2023**

**FORT PECK  
TRIBAL COURT OF APPEALS**

Appellate Court  
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FORT PECK COURT OF APPEALS  
ASSINIBOINE AND SIOUX TRIBES  
FORT PECK INDIAN RESERVATION  
POPLAR, MONTANA

Fort Peck Tribes, Appellant  v.  Rhiannon Ahneman, Appellee.	CAUSE NO. AP # 840  ORDER GRANTING APPEAL
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Appeal from the Fort Peck Tribal Court, Lonnie Headdress, Presiding Judge.  
Before E. Shanley, Chief Justice and B.J. Jones, Associate Justice

**BACKGROUND**

¶ 1 This matter comes before the Fort Peck Court of Appeals (FPCOA) on an appeal from the Tribal Court's Order issued on September 24, 2022 dismissing criminal case no.0156-22-02 with prejudice for the Tribes' failure to obtain a laboratory test of suspected drugs. It appears, but not is clear from Appellant's brief, that at a pre-trial hearing, the Tribes had not received the laboratory testing and the case was dismissed by the Tribal Court *sua sponte* although speedy trial issues were not at stake. Appellant argues dismissal with prejudice was an abuse of discretion.

¶ 2 The FPCOA GRANTS review. Appellant filed a brief on September 27, 2022. In order to effectively evaluate the issues raised by this appeal, this Court imposes the following briefing schedule:

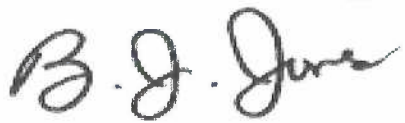
1. Appellant may file a supplemental brief within fifteen (15) days of service of this Order.
2. Appellee must file a response within fifteen (15) days of service of Appellant's brief or within thirty (30) days of the date of service of this Order if Appellant does not file a supplemental brief.
3. The parties shall indicate in their briefs whether they are requesting oral arguments be held on the matter. After receiving required briefs, the FPCOA will determine whether oral arguments will be scheduled.

SO ORDERED the 13th day of October 2022.

FORT PECK COURT OF APPEALS



Erin Shanley, Chief Justice



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Associate Justice